

06-21-2010

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office



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103600105

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Capstone Turbine Corporation, a Delaware corporation

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation- State: Delaware
☐ Other _____

Citizenship (see guidelines) _____

Additional names of conveying parties attached? ☐ Yes ☒ No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) June 2, 2010

- ☐ Assignment ☐ Merger
☒ Security Agreement ☐ Change of Name
☐ Other _____

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? ☐ Yes ☒ No

Name: Wells Fargo Bank, National Association

Internal

Address: Relationship Mgr -- Capstone Turbine

Street Address: 245 S. Los Robles Ave., Suite 700

City: Pasadena

State: California

Country: USA Zip: 91101

- ☒ Association Citizenship _____
☐ General Partnership Citizenship _____
☐ Limited Partnership Citizenship _____
☐ Corporation Citizenship _____
☐ Other LLC Citizenship _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No. None

B. Trademark Registration No.(s)
2809609

Additional sheet(s) attached? ☐ Yes ☒ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: Morgan, Lewis & Bockius LLP-

Internal Address: Kathryn Romano, Paralegal

Street Address: 300 S. Grand Avenue, 22nd Floor

City: Los Angeles

State: California Zip: 90071-3132

Phone Number: 213.612.7302

Fax Number: 213.612.2501

Email Address: kromano@morganlewis.com

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed

8. Payment Information:

- a. Credit Card Last 4 Numbers 06/21/2010 LUELLER 00000002 2809609
Expiration Date 01 FC:0521
b. Deposit Account Number 40.00 OP
Authorized User Name _____

9. Signature:

Signature

June 15, 2010

Date

Kathryn Romano

Name of Person Signing

Total number of pages including cover sheet, attachments, and document:

6

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK
REEL: 004228 FRAME: 0227

**FIRST AMENDMENT TO
PATENT AND TRADEMARK SECURITY AGREEMENT**

THIS FIRST AMENDMENT TO PATENT AND TRADEMARK SECURITY AGREEMENT (the "Amendment"), is dated June 2, 2010, and entered into by and between CAPSTONE TURBINE CORPORATION, Delaware corporation ("Company"), and WELLS FARGO BANK, NATIONAL ASSOCIATION ("Wells Fargo"), acting through its Wells Fargo Business Credit operating division.

RECITALS

A. Company and Wells Fargo are parties to a Credit and Security Agreement dated February 9, 2009, and a Credit and Security Agreement (Ex-Im Subfacility), dated February 9, 2009, (as amended, the "Credit Agreements"). Capitalized terms used in these recitals have the meanings given to them in the Credit Agreements unless otherwise specified.

B. To induce Lenders to provide the financial accommodations described in the Credit Agreements, Company entered into that certain Patent and Trademark Security Agreement, dated as of February 9, 2009, with Wells Fargo (the "Agreement").

C. The Company has requested that Wells Fargo modify and amend certain terms of the Agreement as set forth herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained, it is agreed as follows:

1. Amendment to Exhibit A. Exhibit A to the Agreement is hereby amended by adding the items described on Exhibit A to this Agreement.

2. Amendment to Exhibit B. Exhibit B to the Agreement is hereby amended by adding the items described on Exhibit B to this Agreement.

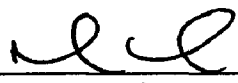
3. No Other Changes. Except as modified by this Amendment, all of the terms and conditions of the Agreement shall remain in full force and effect and are hereby ratified and reaffirmed by Company.

4. Counterparts. This Amendment may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original and all of which counterparts, taken together, shall constitute one and the same instrument.

[signatures on next page]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed as of the date first above written.

**WELLS FARGO BANK,
NATIONAL ASSOCIATION**

By: 
Print Name: Michael White
Title: A.U.P.

CAPSTONE TURBINE CORPORATION

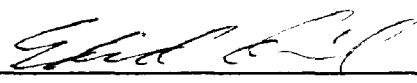
By 
Print Name: Edward Reich
Title: Executive Vice President & CFO

Exhibit A

Additional Patents

UNITED STATES ISSUED PATENTS

<u>TITLE</u>	<u>DATE ISSUED</u>	<u>PATENT NUMBER</u>
An Electricity Generating System Having an Annular Combustor	11/13/01	6314717
Annular Combustor For Use with an Energy System	01/25/05	6845621
Atomizer for a Combustor and associated method for atomizing fuel	03/02/04	6698208
Electrical System for Turbine/Alternator on Common Shaft	08/12/03	6605928
Electrical System for Turbine/Alternator on Common Shaft	01/24/06	6989610
Heat Transfer Apparatus	11/22/05	6966173
Method and Apparatus for Compensating Output Voltage Fluctuations of Turbine/Alternator on Common Shaft	06/21/05	6909199
Method and Apparatus for Controlling Output Current of Turbine/Alternator on Common Shaft	02/14/06	6998728
Method and Apparatus for Controlling Output Voltages and Frequencies of Turbine/Alternator on Common Shaft	10/08/05	6956301
Method and Apparatus for Monitoring Turbine Parameters of Turbine Alternator on Common Shaft	05/10/05	6891282
Method and Apparatus for Turbine/Alternator on Common Shaft During Start-up	06/28/05	6911742
Method for ignition and start up of a Turbogenerator	07/27/04	6766647
Method of Fabricating Vanes	01/25/05	6845558
Microturbine direct fired absorption chiller	06/08/04	6745574
Microturbine exhaust heat augmentation system	04/12/05	6877323
Multiple control loop acceleration of turboalternator after reaching self sustain speed previous to reaching synchronous speed	12/21/04	6834226

<u>TITLE</u>	<u>DATE ISSUED</u>	<u>PATENT NUMBER</u>
Multiple control loop acceleration of turboalternator previous to self sustain speed	11/16/04	6819999
Offload control of turboalternator with rich burn quick quench lean burn combustor to prevent blowout of combustor	12/28/04	6836720
Power Generating system including a high frequency alternator, a rectifier module, and an auxiliary power supply	05/30/06	7053590
Recuperator for use with turbineturbo-alternator	08/27/02	6438936
Recuperator for use with turbineturbo-alternator	01/04/05	6837419
Recuperator Configuration	12/21/04	6832470
Split Seal Plate with Integral Brush Seal	03/08/05	6863509
Vane and method of construction thereof	11/11/03	6644916

UNITED STATES PATENT APPLICATIONS

<u>TITLE</u>	<u>DATE FILED</u>	<u>APPLICATION NUMBER</u>
An Electricity Generating System Having an Annular Combustor	11/13/03	10/712,917
An Electricity Generating System Having an Annular Combustor	02/17/06	11/357,892
System Including a Microturbine and a High-Frequency Alternator Generating Backup Power for A Telecommunications System	02/20/07	11/708,203

Exhibit B

Additional Trademarks

<u>MARK</u>	<u>REGISTRATION NUMBER</u>	<u>CLASS</u>	<u>REGISTRATION DATE</u>	<u>GOODS/SERVICES</u>
TA 100 TURBO ALTERNATOR (standard characters)	2809609	07	January 27, 2004	compact, high capacity electricity generators